

Amendment No. 1 to SB2337

Overbey  
Signature of Sponsor

**AMEND Senate Bill No. 2337**

**House Bill No. 2256\***

by deleting the amendatory language of § 45-6-302 in SECTION 1 and substituting instead the following:

Notwithstanding § 40-24-105, all moneys paid by a conveying customer pursuant to § 45-6-213(c), § 40-35-301, or § 40-35-304, or pursuant to an order by any court of this state, whether civil or criminal in nature, shall be credited as follows:

(1) If the misappropriated or stolen goods are returned to the claimant of the property, the pawnbroker shall first receive payment until the full amount the conveying customer received from the pawnbroker for the property, plus all applicable pawn service charges, and all fees and costs incurred by the pawnbroker in defending a replevin action or civil matter, are paid. Only after the pawnbroker is repaid in full shall payments be credited toward litigation taxes, costs, fines, or any other payment specified by the court; or

(2) If the misappropriated or stolen goods are not returned to the claimant of the property, the claimant shall first receive payment in an amount specified by the court. After the claimant receives payment in full, all other payments shall be made in accordance with subdivision (1).